

REMARKS

In response to the above-identified Office Action, Applicant amends the application and seeks reconsideration thereof. In this response, Claims 1, 3, 5- 7, 9 and 10 have been amended, no claims have been added and no claims have been cancelled. Accordingly, Claims 1-20 are pending.

The instant application is directed to a process for producing an epitaxial layer of gallium nitride (GaN) as well as to the epitaxial layers of gallium nitride (GaN) which can be obtained by said process. Such process makes it possible to obtain gallium nitride layers of excellent quality.

I. Amendments to the Claims

Applicant respectfully submits Claims Claims 1, 3, 5, 6, 8 and 10 have been amended to correct informalities pursuant to the Examiner's request. See Action, page 2, paragraph 1. Claims 7 and 9 have been rewritten in response to informalities noted by the Examiner to clarify that the "deposition of silicon nitride film is carried out with a carrier gas containing H²." Support for the amendments may be found, for example, on page 9, lines 5-9 of the Application. Accordingly, the amendments are supported by the specification and do not add new matter. In view of the foregoing, Applicant respectfully requests entry of the attached amendments.

II. Objections to the Claims

In the outstanding Action, the Examiner objects to Claims 1, 3, 5-10 because of informalities, namely, the use of inconsistent terminology. Applicant has addressed the

Examiner's concerns and amended the claims to incorporate the corrections suggested by the Examiner. In view of the foregoing, Applicant respectfully requests withdrawal of the objection to the claims.

III. Objections to the Specification

In the outstanding Action, the Examiner alleges a typographical error appears in the specification. The Examiner requests Applicant correct the recitation of "(Fig. 2" on page 12, paragraph [0055], at line 7 to read "(Fig. 2)." Applicant respectfully submits the above noted recitation is not a typographical error. The sentence in which the above-noted reference is provided recites "When the temperature approaches 1060°C, it should be noted that the reflectivity of the buffer layer suddenly decreases (Fig. 2, curve standard GaN/sapphire)." See Application, page 12, paragraph [0055], at lines 6-8. Thus, the terms noted by the Examiner are only a portion of the entire citation that is followed by the closed parenthesis. Accordingly, "(Fig. 2," is not a typographical error. In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the Examiner's objection to the specification.

IV. Allowable Subject Matter

Applicant respectfully acknowledges the Examiner's determination that Claims 1-20 contain allowable subject matter.

In regard to Claim 1, the Examiner determines Claim 1 would be allowable if rewritten to overcome the Examiner's above noted objections. As discussed above, Applicant has amended Claim 1 to overcome the Examiner's objections. Accordingly, Applicant respectfully requests allowance of Claim 1.

In regard to Claims 3 and 5-10, the Examiner states these claims would be allowable if rewritten to overcome the Examiner's objections and to include all the limitations of the base claim and any intervening claims. As discussed above, Applicant has rewritten the claims to overcome the Examiner's objections. Applicant further submits Claims 3 and 5-10 are dependent upon Claim 1, which the Examiner has indicated is allowable. Thus, at least for the reason that Claims 3 and 5-10 are dependent upon an allowable base claim, these claims are in condition for allowance without rewriting them in the manner suggested by the Examiner. In view of the foregoing, Applicant respectfully requests allowance of Claims 3 and 5-10.

In regard to Claims 2, 4 and 11-20, the Examiner alleges these claims would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 2, 4 and 11-20 also depend from Claim 1. Thus, at least for the reason that Claims 2, 4 and 11-20 are dependent upon an allowable base claim, these claims are in condition for allowance without rewriting them in the manner suggested by the Examiner. In view of the foregoing, Applicant respectfully requests allowance of Claims 2, 4 and 11-20.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: _____

5/23/05

By: _____



Eric S. Hyman
Reg. No. 30,139

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 5/23/05.

Jean Svoboda